

## DRAFT

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11" with -11 and 12--.

Paragraph 13, line 3: Replace both occurrences of "pliers 10" with  
--"pliers--.

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Paragraphs 15-17: Replace each occurrence of "15" with -15'--.

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Paragraph 19: Replace each occurrence of "11" with -11'--, and "12" with  
-12'--.

**In the Claims****Claim 15**

Replace "means for gripping a shingle" with "means for gripping a shingle,  
wherein said means includes at least one plate adapted to grip the shingle."

Please add --and-- after "shingle" in line 2.

**REMARKS**

The present status of the claims is shown in the following table:

Claim		112, 2 <sup>nd</sup> ¶	103(a)	Objected-to
1			X	
	2	X	X	
	3		X	
	4	X	X	
	5		X	
	6		X	
	7			X
	8			X
9		X	X	
	10	X	X	
	11	X	X	
	12	X	X	
	13	X	X	

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	14		X	
15			X	
	16		X	

**Claims 2, 4 and 9-14 Are Allowable Under 35 U.S.C. § 112, Second Paragraph**

Claim 2 has been rejected on the grounds that it recites the anvil fixed to "at least one of said plates", while the Examiner states that the specifications and drawings disclose the anvil fixed to either jaw (14) or elongated rod (21) but not to either plate. One of ordinary skill in the art would understand from the specification, drawings and claims that anvil 15 (Figure 1) could also be fixed to one of the plates 11 or 12. Therefore, this rejection is respectfully traversed.

Claim 4 has been rejected on the grounds that it recites the upper jaw "pivotally coupled to said first handle", while the Examiner states that the specification and drawings disclose the upper jaw fixed to the first handle and the lower jaw pivotally coupled to the second handle. One of ordinary skill in the art would understand from the specification, drawing and claims that either or both of the upper and lower jaws can be pivotally coupled to their respective handles. Therefore, this rejection is respectfully traversed.

Claim 9 has been rejected on the grounds that it recites "an anvil coupled to said plates", while the Examiner states that the anvil is not disclosed as coupled to the plates but rather to a jaw or elongated rod. Similarly, claim 11 has been rejected on the grounds that it recites that the elongated rod is "coupled to said plates", while the Examiner states the rod is disclosed to be coupled to the lower jaw. In the specification, the applicant states, "As used herein, the term 'coupled' means directly or indirectly connected. Thus, if A is coupled to B, and B is coupled to C, then A is coupled to C." Specification, paragraph 19, lines 7-8. The specification discloses that the anvil is coupled to a jaw or elongated rod, and discloses that the jaw or elongated rod is coupled to the plates. Therefore, the anvil and/or elongated rod is coupled to the plates. Thus, this rejection is respectfully traversed.

**Claims 1-6 and 9-14 are Allowable over Small in View of Verna Under 35 U.S.C. § 103(a)**

Claims 1-6 and 9-14 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Small 4,669,341 in view of Verna 4,386,542.

Regarding claims 1 and 9, Small does not disclose or suggest a coupling a plate to a jaw. Indeed, Small teaches away from coupling a plate to a jaw. Small discloses an extraction device that is "particularly adapted for removing [headless] pins from the flywheels of clutch assemblies..." Small Col. 1, lines 6-7, 14. Each of the jaws are equipped with a single biting edge (61 and 41 in figures 1 and 2) designed to concentrate the gripping force into a small area. on the pin "Tooth 41 has a biting edge 47 oriented